

# SENATE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-THIRD LEGISLATURE

---

**FIFTY-THIRD LEGISLATIVE DAY**  
**THURSDAY, MARCH 3, 2016**

Senate Chamber

President Pro Tempore Hill called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Lacey, absent and formally excused by the Chair; and Senator Keough, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Logan Snell, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 2, 2016, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senator Keough was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

March 2, 2016

The STATE AFFAIRS Committee reports out [H 389](#), [H 390](#), and [S 1356](#) with the recommendation that they do pass.

MCKENZIE, Chairman

[H 389](#), [H 390](#), and [S 1356](#) were filed for second reading.

March 2, 2016

The STATE AFFAIRS Committee reports out [H 447](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

MCKENZIE, Chairman

There being no objection, [H 447](#) was referred to the Fourteenth Order of Business, General Calendar.

March 2, 2016

The RESOURCES AND ENVIRONMENT Committee reports out [S 1338](#) with the recommendation that it do pass.

BAIR, Chairman

[S 1338](#) was filed for second reading.

March 2, 2016

The RESOURCES AND ENVIRONMENT Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

William B. Booth to the Northwest Power and Conservation Council, term to expire February 15, 2019.

BAIR, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 2, 2016

The JUDICIARY AND RULES Committee reports out [H 429](#), [S 1361](#), [S 1362](#), and [H 491](#), as amended, with the recommendation that they do pass.

LODGE, Chairman

[H 429](#), [S 1361](#), [S 1362](#), and [H 491](#), as amended, were filed for second reading.

March 2, 2016

The STATE AFFAIRS Committee reports out [S 1354](#) with the recommendation that it do pass.

MCKENZIE, Chairman

[S 1354](#) was filed for second reading.

March 2, 2016

The EDUCATION Committee reports out [H 451](#) with the recommendation that it do pass.

MORTIMER, Chairman

[H 451](#) was filed for second reading.

March 3, 2016

The AGRICULTURAL AFFAIRS Committee reports out [H 456](#), [H 499](#), and [HCR 32](#) with the recommendation that they do pass.

RICE, Chairman

[H 456](#) and [H 499](#) were filed for second reading.

[HCR 32](#) was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

**Messages from the Governor**

March 2, 2016

The Honorable Brad Little  
President of the Senate  
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Paul J. Schneider of Boise, Idaho, was reappointed as a member of the Idaho State Racing Commission to serve a term commencing January 15, 2016, and expiring January 15, 2022.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*  
/s/ C.L. "Butch" Otter  
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the State Affairs Committee.

The Senate advanced to the Ninth Order of Business.

**Messages from the House**

March 3, 2016

Dear Mr. President:

I transmit herewith [HCR 38](#), [H 504](#), [H 508](#), [H 528](#), [H 525](#), as amended, [H 485](#), [H 501](#), [H 509](#), [H 514](#), and [H 534](#), which have passed the House.

TAYLOR, Acting Chief Clerk

[HCR 38](#), [H 504](#), [H 508](#), [H 528](#), [H 525](#), as amended, [H 485](#), [H 501](#), [H 509](#), [H 514](#), and [H 534](#) were filed for first reading.

March 2, 2016

Dear Mr. President:

I return herewith Enrolled [S 1208](#) and [S 1202](#), which have been signed by the Speaker.

TAYLOR, Acting Chief Clerk

Enrolled [S 1208](#) and [S 1202](#) were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

**Motions and Resolutions**

The President announced that [SCR 148](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Nonini, seconded by Senator Burgoyne, [SCR 148](#) was adopted by voice vote, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 149](#) was before the Senate for final consideration.

Moved by Senator Mortimer, seconded by Senator Hagedorn, that [SCR 149](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Lacey, Patrick, Siddoway. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 149](#) adopted, title was approved, and the resolution ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, [SCR 142](#) was referred to the Judiciary and Rules Committee.

The President Pro Tempore announced that [SCR 143](#) was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stennett, that [SCR 143](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—None.

Absent and excused—Lacey, Siddoway. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 143](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SCR 144](#) was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Stennett, that [SCR 144](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 34.

NAYS—None.

Absent and excused—Lacey. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SCR 144](#) adopted, title was approved, and the resolution ordered transmitted to the House.

The President Pro Tempore announced that [SR 101](#) was before the Senate for final consideration.

Moved by Senator Davis, seconded by Senator Lakey, that [SR 101](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Thayn, Vick, Winder. Total - 29.

NAYS—Buckner-Webb, Burgoyne, Jordan, Stennett, Ward-Engelking. Total - 5.

Absent and excused—Lacey. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared [SR 101](#) adopted, title was approved, and the resolution ordered filed in the office of the Secretary of the Senate.

The President Pro Tempore announced that [HCR 34](#) was before the Senate for final consideration.

Moved by Senator Lee, seconded by Senator Burgoyne, that [HCR 34](#) be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES—Anthon, Brackett, Burgoyne, Davis, Harris, Heider, Hill, Jordan, Keough, Lakey, Lee, Lodge, Martin, Patrick, Schmidt, Ward-Engelking. Total - 16.

NAYS—Bair, Bayer, Buckner-Webb, Den Hartog, Guthrie, Hagedorn, Johnson, McKenzie, Mortimer, Nonini, Nuxoll, Rice, Siddoway, Souza, Stennett, Thayn, Vick, Winder. Total - 18.

Absent and excused—Lacey. Total - 1.

Total - 35.

Whereupon the President Pro Tempore declared that the Senate has failed to adopt [HCR 34](#) and ordered the resolution returned to the House.

On request by Senator Winder, granted by unanimous consent, [HCR 33](#) retained its place on the calendar for Thursday, March 10, 2016.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

#### **Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials**

##### **S 1376**

##### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO PUBLIC CHARTER SCHOOLS; AMENDING SECTION 33-5202A, IDAHO CODE, TO DEFINE TERMS AND TO REVISE A DEFINITION; AMENDING SECTION 33-5203, IDAHO CODE, TO PROVIDE AN ADDITIONAL WAY TO FORM A PUBLIC CHARTER

SCHOOL AND TO SPECIFY THAT A CHARTER HOLDER MAY NOT OPERATE ENTERPRISES OTHER THAN THE PUBLIC CHARTER SCHOOLS FOR WHICH IT HAS BEEN AUTHORIZED; AMENDING SECTION 33-5204, IDAHO CODE, TO ALLOW PUBLIC CHARTER SCHOOL NONPROFIT BOARDS TO HOLD MULTIPLE CHARTERS UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5204, IDAHO CODE, AS AMENDED BY SECTION 71, CHAPTER 141, LAWS OF 2015, TO ALLOW PUBLIC CHARTER SCHOOL NONPROFIT BOARDS TO HOLD MULTIPLE CHARTERS UNDER CERTAIN CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-5205, IDAHO CODE, TO REVISE PROVISIONS REGARDING PETITIONS TO ESTABLISH PUBLIC CHARTER SCHOOLS, TO REVISE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 52, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-5205C, IDAHO CODE, TO PROVIDE FOR CHARTER SCHOOL REPLICATION AND RELATED PROVISIONS; AMENDING SECTION 33-5206, IDAHO CODE, TO REQUIRE REPLICATION PUBLIC CHARTER SCHOOLS TO ESTABLISH A CERTAIN ADMISSION PREFERENCE POLICY, TO ALLOW PUBLIC CHARTER SCHOOLS TO CONTRACT WITH EDUCATIONAL SERVICES PROVIDERS SUBJECT TO CERTAIN CONDITIONS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-5207, IDAHO CODE, TO PROVIDE THAT REPLICATION PUBLIC CHARTER SCHOOLS ARE SUBJECT TO PROVISIONS REGARDING CHARTER REPEAL PROCEDURES; AMENDING SECTION 33-5208, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5209A, IDAHO CODE, TO REVISE PROVISIONS REGARDING ACCOUNTABILITY REQUIREMENTS; AMENDING SECTION 33-5209B, IDAHO CODE, TO REVISE PROVISIONS REGARDING CHARTER RENEWALS; AMENDING SECTION 33-5209C, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE ENFORCEMENT, REVOCATION AND APPEAL PROCESS FOR CHARTER HOLDERS; AMENDING SECTION 33-5210, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN EXEMPTIONS, TO REMOVE A PROVISION THAT SUBJECTS CERTAIN PUBLIC CHARTER SCHOOLS TO CERTAIN RULES AND TO MAKE A TECHNICAL CORRECTION; AND PROVIDING AN EFFECTIVE DATE.

##### **S 1377**

##### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO ELECTIONS; AMENDING SECTION 34-1203, IDAHO CODE, TO REMOVE THE REQUIREMENT THAT ELECTION JUDGES MUST POST A CORRECT COPY OF RESULTS AT THE POLLING PLACE AND TO MAKE TECHNICAL CORRECTIONS.

##### **S 1378**

##### **BY STATE AFFAIRS COMMITTEE**

##### **AN ACT**

RELATING TO CONCEALED WEAPONS; REPEALING SECTION 18-3302, IDAHO CODE, RELATING TO CONCEALED WEAPONS; AMENDING CHAPTER 33, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-3302, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING CONCEALED WEAPONS; AND AMENDING SECTION 18-3302C, IDAHO CODE,

TO REVISE PROVISIONS REGARDING PROHIBITED CONDUCT.

**S 1379**

**BY FINANCE COMMITTEE**

**AN ACT**

APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1380**

**BY FINANCE COMMITTEE**

**AN ACT**

APPROPRIATING MONEYS TO THE INDUSTRIAL COMMISSION FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1381**

**BY FINANCE COMMITTEE**

**AN ACT**

APPROPRIATING MONEYS TO THE DEPARTMENT OF INSURANCE FOR FISCAL YEAR 2017; AND LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS.

**S 1382**

**BY JUDICIARY AND RULES COMMITTEE**

**AN ACT**

RELATING TO NURSES; AMENDING SECTION 54-1402, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS.

**S 1383**

**BY JUDICIARY AND RULES COMMITTEE**

**AN ACT**

RELATING TO THE CIVIL RIGHTS OF PERSONS CONVICTED OF CRIME; AMENDING SECTION 18-310, IDAHO CODE, TO PROVIDE THAT THE RIGHT TO SHIP, TRANSPORT, POSSESS OR RECEIVE A FIREARM SHALL NOT BE RESTORED FOLLOWING FELONY CONVICTIONS FOR CERTAIN CRIMES.

[S 1376](#), [S 1377](#), [S 1378](#), [S 1379](#), [S 1380](#), [S 1381](#), [S 1382](#), and [S 1383](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[HCR 38](#), by State Affairs Committee, was introduced, read at length, and referred to the State Affairs Committee.

[H 504](#) and [H 508](#), by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 528](#), by State Affairs Committee, was introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

[H 525](#), as amended, by Agricultural Affairs Committee, was introduced, read the first time at length, and referred to the Agricultural Affairs Committee.

[H 485](#) and [H 501](#), by Commerce and Human Resources Committee, were introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 509](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 514](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 534](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fourteenth Order of Business.

**General Calendar**

The President Pro Tempore declared the Senate resolved into the Committee of the Whole and called Senator Winder to the Chair to preside during the sitting of the Committee of the Whole.

Following the adjournment of the Committee of the Whole, the President Pro Tempore called the Senate to order.

**Report of the Committee of the Whole**

Senator Winder, Chairman of the Committee of the Whole, reported out [S 1341](#), [S 1300](#), [H 458](#), [S 1256](#), as amended, and [H 447](#), without recommendation, amended as follows:

**SENATE AMENDMENT TO S 1341**

**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 29, following "Residential" insert: "care"; and delete lines 34 through 36, and insert: "the conduct omitted. If the department requires a specific corrective action in relation to a citation, that requirement must be in writing and reference the corresponding rule."

**CORRECTION TO TITLE**

On page 1, in line 3, following "RESIDENTIAL" insert: "CARE".

**SENATE AMENDMENT TO S 1300**

**AMENDMENT TO SECTION 2**

On page 3 of the printed bill, delete lines 5 through 7, and insert:

"(e) Revival. Provisions revoked solely by this section are revived by the divorced individual's remarriage to the former spouse or by the divorce or annulment being set aside."

**SENATE AMENDMENT TO H 458**

**AMENDMENT TO SECTION 1**

On page 1 of the printed bill, in line 22, delete "~~middle or~~" and insert: "middle level or".

**AMENDMENT TO SECTION 3**

On page 2, in line 6, delete "cost" and insert: "distribution"; in line 9, following "course." insert: "An overload course must be taken for high school credit to be eligible for funding."; and in line 10, delete "cost" and insert: "distribution".

**SENATE AMENDMENT TO S 1256, As Amended**

**AMENDMENT TO SECTION 1**

On page 1 of the engrossed bill, in line 23, delete "not less"; delete line 24 and insert: "one hundred fifty dol-"; and in line 25, delete "75-300" and insert: "75-00150".

**AMENDMENT TO SECTION 2**

On page 2, in line 22, delete "not less"; delete line 23 and insert: "one hundred fifty dol-"; and in line 24, delete "75-300" and insert: "75-00150".

## AMENDMENT TO SECTION 3

On page 2, in line 41, delete "not less"; delete line 42 and insert: "one hundred fifty dol-"; and in line 43, delete "75,300" and insert: "75,00150".

## SENATE AMENDMENT TO H 447

## AMENDMENT TO SECTION 1

On page 2 of the printed bill, delete lines 6 through 9, and insert:

"(b) Records of buildings, facilities, infrastructures and systems, other than public expenditure records, related to proposed or existing critical infrastructure held by or in the custody of any public agency only when the disclosure of such information would is reasonably likely to jeopardize the safety of persons."

The Committee also has [S 1328](#), [S 1357](#), [S 1303](#), and [S 1332](#) under consideration, reports progress, and begs leave to sit again.

WINDER, Chairman

On motion by Senator Winder, seconded by Senator Burgoyne, the report was adopted by voice vote.

[S 1341](#), as amended, [S 1300](#), as amended, and [S 1256](#), as amended, as amended, were referred to the Judiciary and Rules Committee for engrossing and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

[H 458](#), as amended in the Senate, and [H 447](#), as amended in the Senate, were filed for first reading as amended, and the amendments thereto were referred to the Judiciary and Rules Committee for printing.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

## Reports of Standing Committees

March 3, 2016

The JUDICIARY AND RULES Committee reports that Senate amendments to [S 1341](#), [S 1300](#), [H 458](#), [S 1256](#), as amended, and [H 447](#) have been correctly printed.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 3, 2016

The JUDICIARY AND RULES Committee reports that [S 1341](#), as amended, [S 1300](#), as amended, and [S 1256](#), as amended, as amended, have been correctly engrossed.

LODGE, Chairman

[S 1341](#), as amended, [S 1300](#), as amended, and [S 1256](#), as amended, as amended, were filed for first reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills,  
House Petitions, Resolutions, and Memorials

[H 458](#), as amended in the Senate, by Education Committee, was read the first time at length and filed for second reading.

[H 447](#), as amended in the Senate, by State Affairs Committee, was read the first time at length and filed for second reading.

[S 1341](#), as amended, by Health and Welfare Committee, was read the first time at length and filed for second reading.

[S 1300](#), as amended, and [S 1256](#), as amended, as amended, by Judiciary and Rules Committee, were read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business.

## Petitions, Resolutions, and Memorials

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:15 p.m. until the hour of 4:30 p.m. of this day.

## RECESS

## AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., pursuant to recess, President Pro Tempore Hill presiding.

Roll call showed all members present except Senator Lacey, absent and formally excused by the Chair.

Prior to recess the Senate was at the Fifth Order of Business, Petitions, Resolutions, and Memorials.

The Senate advanced to the Sixth Order of Business.

## Reports of Standing Committees

March 3, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1208](#) and [S 1202](#) were delivered to the Office of the Governor at 11:30 a.m., March 3, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

March 3, 2016

The TRANSPORTATION Committee reports out [H 343](#) with the recommendation that it do pass.

BRACKETT, Chairman

[H 343](#) was filed for second reading.

March 3, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [H 366](#), [H 368](#), [H 486](#), and [H 519](#) with the recommendation that they do pass.

PATRICK, Chairman

[H 366](#), [H 368](#), [H 486](#), and [H 519](#) were filed for second reading.

March 3, 2016

The COMMERCE AND HUMAN RESOURCES Committee reports out [S 1315](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

PATRICK, Chairman

There being no objection, [S 1315](#) was referred to the Fourteenth Order of Business, General Calendar.

March 3, 2016

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 496](#) with the recommendation that it do pass.

SIDDOWAY, Chairman

[H 496](#) was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President Pro Tempore announced that [HCR 36](#) was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Burgoyne, [HCR 36](#) was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The President Pro Tempore announced that [SJM 105](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator Guthrie, seconded by Senator Burgoyne, [SJM 105](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President Pro Tempore announced that [SJM 106](#) was before the Senate for final consideration, the question being, "Shall the memorial be adopted?"

On motion by Senator McKenzie, seconded by Senator Burgoyne, [SJM 106](#) was adopted by voice vote, title was approved, and the memorial ordered transmitted to the House.

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of Anna Jane "Janie" Dressen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator McKenzie disclosed a possible conflict of interest under applicable law.

On motion by Senator Jordan, seconded by Senator Burgoyne, the Gubernatorial reappointment of Anna Jane "Janie" Dressen as a member of the Commission on Pardons and Parole was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Cortney C. Dennis was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator McKenzie disclosed a possible conflict of interest under applicable law.

On motion by Senator Lee, seconded by Senator Jordan, the Gubernatorial appointment of Cortney C. Dennis as a member of the Commission on Pardons and Parole was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial reappointment of J. Philip Reberger was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Anthon, the Gubernatorial reappointment of J. Philip Reberger as a member of the Idaho Judicial Council was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the State Affairs Committee report relative to the Gubernatorial appointment of Michael "Mike" Mark Mooney was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Buckner-Webb, seconded by Senator McKenzie, the Gubernatorial appointment of Michael "Mike" Mark Mooney as a member of the Idaho Energy Resources Authority was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Transportation Committee report relative to the Gubernatorial reappointment of Janice B. Vassar was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Johnson, seconded by Senator Schmidt, the Gubernatorial reappointment of Janice B. Vassar as a member of the Idaho Transportation Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Susan Elizabeth Buxton was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lakey, seconded by Senator Ward-Engelking, the Gubernatorial appointment of Susan Elizabeth Buxton as the Administrator of the Division of Human Resources was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial appointment of John H. Tippetts was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Harris, seconded by Senator Hagedorn, the Gubernatorial appointment of John H. Tippetts as the Director of the Department of Environmental Quality was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of John Randolph MacMillan was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Heider, seconded by Senator Jordan, the Gubernatorial reappointment of John Randolph MacMillan as a member of the Board of Environmental Quality was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the committee report of the Gubernatorial appointment confirmation of Kevin C. Boling retained its place on the calendar.

The President Pro Tempore announced that the Health and Welfare Committee report relative to the Gubernatorial reappointment of L.N. Nick Purdy was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stennett, seconded by Senator Burgoyne, the Gubernatorial reappointment of L.N. Nick Purdy as a member of the Board of Environmental Quality was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial reappointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

The President Pro Tempore announced that Senator Davis requested and has received an excused absence for the remainder of the legislative day.

**S 1327** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lodge arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill,

Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1327** passed, title was approved, and the bill ordered transmitted to the House.

**S 1351** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Brackett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1351** passed, title was approved, and the bill ordered transmitted to the House.

**S 1352** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS—None.

Absent and excused—Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared **S 1352** passed, title was approved, and the bill ordered transmitted to the House.

**S 1234** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Buckner-Webb arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS--None.

Absent and excused--Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1234](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1323](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hagedorn arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS--None.

Absent and excused--Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1323](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1301](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Burgoyne arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 32.

NAYS--None.

Absent and excused--Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1301](#) passed, title was approved, and the bill ordered transmitted to the House.

[S 1359](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Patrick arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Anthon, Bair, Bayer, Brackett, Buckner-Webb, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 29.

NAYS--Burgoyne, Den Hartog, Jordan. Total - 3.

Absent and excused--Davis, Lacey, Nuxoll. Total - 3.

Total - 35.

Whereupon the President Pro Tempore declared [S 1359](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Winder, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

### Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 6 p.m. until the hour of 10:30 a.m., Friday, March 4, 2016.

BRENT HILL, President Pro Tempore

Attest: JENNIFER NOVAK, Secretary